HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No. 15122 OF 2007

DATE: 10.09.2007

Between:

K. Nagaratnam

..... PETITIONER

AND

The Station House Officer,
Payakaraopeta Police Station,
Visakapatnam District & 4 others.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No. 15122 OF 2007

ORDER: (Per Hon'ble Sri Justice A. Gopal Reddy)

The petitioner addressed a letter to the High Court Legal Services Committee, dated 3.7.2007 alleging that her daughter Ms. Kakinada

Rama, aged about 261 years, Artist by profession, was missing from 13.12.2006. One Ramesh of Nakapalli village telephoned to her daughter stating that he was having an assignment with her and accordingly, her daughter left the house with gold, weighing about 12 tulas, cell phone and other belongings and thereafter she did not return. On 5.1.2007, she lodged a complaint with S.H.O., Payakaraopeta P.S. about missing of her daughter, upon which, the S.H.O. registered a case in Crime No.3/2007 under the head of 'Woman Missing' and dodging the matter. On forwarding the said letter by the Legal Services Committee, the same was taken up as a Writ Petition and notices were issued to the respondents.

In response to the notice issued, the Sub-Inspector of Police, Nathavaram Police Station, Visakhapatnam filed a counter affidavit stating that on the complaint lodged by the petitioner, a case in Crime No.3/2007 has been registered and the investigation is being made into the said crime. During the course of investigation, it came to light through a radio message that the accused Mr.K.Srinivasa Raju, K.Venkatarama Raju, Kullavappa @ Kumar and Sunil Trilochan Panda @ Sunil were arrested by the Inspector of Police, Cowl Bazaar of Bellary in Crime No.4/2007 under Sections 399, 402 r/w 379 IPC and Section 27 of Indian Arms Act and the accused have confessed during interrogation that they killed the daughter of the petitioner at D.Yerravaram village of Nathavaram Mandal and dropped the dead body in yeleru canal with the assistance of one Satyavathi at the house of one Parvathi. Basing on the confessional statement of the above accused, he obtained documents from the Station House Officer, Cowl Bazar Police Station and altered the Section of law from woman missing to Section 120-B, 302, 379 and 201 IPC of Payakaraopet Police Station and transferred the record of investigation to Station House Officer, Nathavaram Police

Station on the point of jurisdiction on 2.7.2007 for further investigation. It is stated that the Inspector of Police, Narsipatnam Circle has taken up the investigation and during the course of investigation, A.1-K.Srinivasa Raju and A.2-Kullavappa @ Kumar were brought to Central Jail, Visakhapatnam through Judicial First Class Magistrate, Narsipatnam on production warrant in this case and were taken into police custody for three days for interrogating them in this case. Basing on the confessional statement of A.1 and A.2, A.5-Smt. Makireddy Parvathi, W/o.Manikyam of D.Yerravaram village was arrested on 12.7.2007 and all the three accused i.e. A.1,A.2 & A.5 were remanded to judicial custody. They admitted about their guilt of killing the daughter of the petitioner at the house of A.5 on the night of 13.12.2006 at the instigation of A.4-Smt.Varre Satyavathi, W/o.Venku Naidu of M.B.Patnam Village.
It is stated that the investigation is still under progress and the dead body of the deceased Kakinada Rama or its remains have to be traced out for sending them to DNA test. In the counter it is assured that after completing the investigation, appropriate report/charge sheet will be filed against the persons responsible for the death of the daughter of the petitioner.

In view of the facts stated in the counter affidavit that the police are investigating into the matter, no further direction need be issued to the respondents except directing them to inform the petitioner about filing of the charge sheet, as and when it is filed.

The writ petition is accordingly dismissed. No costs.

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A. GOPAL REDDY, J.

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10th SEPTEMBER, 2007 P. SWAROOP REDDY, J.

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